

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 23, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ALEJANDRO O. F.,<sup>1</sup>

Plaintiff,

v.

MARTIN O'MALLEY,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:24-cv-03041-LRS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion to Remand,  
ECF No. 14. Based on the stipulation of the parties, the Court finds good cause to  
grant the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

**ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**.

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<sup>1</sup> The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

3. Upon remand, the ALJ will further develop the record, as appropriate, offer Plaintiff the opportunity for an additional hearing, and issue a new decision.


The ALJ will reevaluate the evidence, particularly the medical opinions and prior administrative medical findings, and reevaluate Plaintiff's statements and the step-five finding, as necessary.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's Opening Brief, **ECF No. 10**, and the hearing and remaining briefing schedule are **VACATED** as moot.

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

**DATED** August 23, 2024.

  
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LONNY R. SUKO  
Senior United States District Judge